



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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m/015/072

FACSIMILE COVER SHEET

DATE: June 6, 1997

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 5

TO: Neal J. Mortensen
Western Clay Co
P.O. Box 127
Aurora, UT 84620

FAX NUMBER: 1-801-529-3714

FROM: Wayne Hedberg
Minerals Reclamation and Development Program

PHONE: (801) 538-5291

FAX: (801) 359-3940

SUBJECT: Review of LMO - Hebe mine m/015/072

REMARKS: original hard copy will be put
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June 6, 1997

Neal J. Mortensen
Vice President
Western Clay Company
P.O. Box 127
Aurora, Utah 84620

Re: Review of Large Mining Operations Notice of Intention, Western Clay Company, Hebe Gypsum Mine, M/015/072 (UTU-73779), Emery County, Utah

Dear Mr. Mortensen:

The Division has completed a review of your "Proposal to Begin Large Mining Operations on the Hebe Gypsum Mine received December 11, 1997. Additional information which we have reviewed to determine adequacy under our Large Mining Operation section of the Minerals Rules includes: (1) several facsimiles regarding soil analyses, soil sample locations, reclamation cost estimate, and schedule of mine disturbances; (2) a revised plan of operations drawing received February 27, 1997; (3) a copy of the U.S. Dept. of the Interior, Fish and Wildlife Service, Biological Opinion dated April 9, 1997, received April 18, 1997; and (4) a copy of EA No. UT-066-97-8 for the Lone Tree Wedge Gypsum Mine/Plan of Operations received May 2, 1997. In addition, Division staff met with you onsite on February 24, 1997.

After reviewing this information, the Division has several comments which will need to be addressed before tentative approval may be granted. These comments are listed separately under the applicable Minerals Rule heading. Division comments regarding the EA are listed separately for convenience. Please format your response in a similar fashion.

The Division will suspend further review of the Hebe Gypsum mine NOI until your response to this letter is received. If you have any questions in this regard please contact me, Tony Gallegos, Lynn Kunzler, or Tom Munson of the Minerals Staff. If you wish to arrange a meeting to sit down and discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb

cc: Neil Simmons, BLM Price River/San Rafael Resource Area
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REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

Western Clay Company
Hebe Mine

M/015/072

R647-4-105 - Maps, Drawings & Photographs

105.2 Surface facilities map

Page 6 of the proposal references a surface facilities map; however, no map with this title was included in our copy of the submission. We have assumed the map titled "Plan of Operations 1997-2008 Hebe Mining Claims" revision 2-23-97 was intended to be the base map. Please confirm this or provide us with a copy of the "Surface Facilities Map." (AAG)

Please include the locations of the stream crossings and cross sections included in the plan on the larger scale base map. (TM)

R647-4-106 - Operation Plan

106.2 Type of operations conducted, mining methods, deleterious materials

Please provide a written description of the C-1 and C-2 areas shown on the "Plan of Operations" map under the section "Proposed Operations." Please describe the typical blasting schedule during active operations. Will blasting occur only on certain days or only during daylight hours? Please describe fuel containment berm mentioned on page 11 of the proposal and describe any additional measures to be taken to minimize the impacts of a fuel spill. These measures may include liners or berms to contain spills. (AAG)

106.3 Estimated acreages disturbed, reclaimed, annually.

Page four of the proposal describes the estimated acreage disturbed and reclaimed annually. The annual acreages treat the areas reclaimed annually as being fully released immediately after reclamation. Under Division rules, reclaimed areas may not be fully released for up to three years after the areas have been seeded. This may not have an effect on the areas considered disturbed annually according to BLM rules. The proposed schedule described under this section does not agree with the schedule received by Division staff while at the mine site on February 24, 1997. Please explain which schedule is currently proposed for this operation. (AAG)

The Division has prepared a revised mine schedule table using the information provided in the February 24 table. This revised table includes an initial disturbance of 4.95 acres for the small mine notice and 2.64 acres of access road. Please review this table to see if this proposed schedule is correct. If this table is correct, the Division would request a reclamation surety to cover the disturbed area shown in the "Adjusted Total" column of this table during the first five years of operation, or the year 2002. If this table is incorrect please provide the correct information. (AAG)

The total acreage of 81.50 in the table shown on page ten of the proposal does not agree with the total mine area acreage listed in the table received on site on February 24, 1997. Please explain this discrepancy and make any necessary corrections to the appropriate table(s). The Division's understanding of the right-of-way was it would be 8,200 feet by 30 feet wide which

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would be approximately 5.65 acres rather than the figure of 7.17 acres listed on page tent. Please explain this discrepancy and make the appropriate corrections to the text of the proposal. (AAG)

R647-4-107 - Operation Practices

107.1 Public safety and welfare

Page seven of the proposal states that a wire fence will be constructed around high walls or a berm will be constructed to meet MSHA requirements. Please provide a description and sketch of the typical fencing which shows wire spacing, and provide a description and cross section of the berms to be used around highwalls. (AAG)

R647-4-109 - Impact Assessment

109.3 Impacts on existing soils resources

Page 21, item 3.C. of the proposal mentions that if the stockpiled topsoil is insufficient then soil borrow areas will need to be located. Have any borrow areas been proposed or surveyed? If so, please provide a description of these areas and show their locations on a map. (AAG)

R647-4-110 - Reclamation Plan

110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed

Page 11 of the proposal states that stockpiles will be backfilled and graded. Will the stockpile areas be excavations? Does this mean any stockpiled material on site at the time of final reclamation will be regraded to blend in with the natural contours? (AAG)

R647-4-113 - Surety

Based on tonnages from page five of the submission, reclamation will include moving approximately 77 tons of seed bed material, 1,281 tons of cryptogamic soils, and 132,454 tons of overburden. The total tonnage of material to be moved is approximately 133,812 tons. At \$30,000 as a total reclamation estimate this would equate to costs of approximately \$0.22/ton for earthwork. The facsimile of 2/10/97 from Western Clay Company provided a cost breakdown for reclamation of each stage of the mine operation. This breakdown averaged out to \$375.36/acre. This cost included clean up, backfilling, grading, contouring, soil redistribution, and revegetation. The Division's reclamation estimates for third party reclamation typically average \$1,500 to \$4,500 per acre depending on the characteristics of the mine site and operations. The Division has prepared a preliminary draft of a reclamation cost estimate for the Hebe Gypsum mine using a generic spreadsheet (copy enclosed). Most of the items in the quantity column of this draft estimate were assumed and may not provide an accurate representation of the actual reclamation costs. The accuracy of this estimate may be improved by adjusting the quantity figures and also fine tuning the entire estimate for the specific characteristics of the Hebe Gypsum Mine site. Please review this spreadsheet and provide comments on the quantities and reclamation tasks. (AAG)

Page 12: Signature line is unsigned.

Page 23 - Signature Requirement: The form was not signed. It needs to be signed by an authorized officer/company representative.

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DOGM Comments on EA UT-066-97-8 Lone Tree Wedge Gypsum Mine/POO

Stipulation 2 of the EA states that all disturbed areas shall be restored to the approximate original contour. This stipulation does not seem realistic for the areas of gypsum removal unless borrowed materials are brought in. Was this stipulation intended to require all disturbed areas to be regraded to blend in with the natural topography?

Stipulation 2 of the EA requires the seed to be used in reclamation to originate from native plant species occurring in southwestern Emery County. Does this stipulation mean that all seed to be used during reclamation of this site must have been collected from plants in the area, or was the intent of this stipulation to limit the seed species to only those plants native to southwestern Emery County?

Page four of the proposal describes the estimated acreage disturbed and reclaimed annually. The annual acreages treat the areas reclaimed annually as being fully released during the same year of reclamation. Under Division rules, reclaimed areas may not be fully released for up to three years after the areas have been seeded. This may not have an effect on the areas considered disturbed annually according to BLM rules.

The disturbed acreages described on pages four and five of the proposal do not match the acreages shown on drawing titled "Plan of Operations 1997-2008 Hebe Mining Claims" revision date 2-23-97. The acreages on the drawing are grouped according to phases rather than years; however, taking this into consideration does not resolve the differences. The schedule described under this section of the proposal does not agree with the schedule received by Division staff while at the mine site on February 24, 1997.

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*These comments
will be directed
to the BLM
as well.*